

FACT SHEET

The permitting authority for the Sewage Sludge Use or Disposal Permit is:

Louisiana Department of Environmental Quality
Office of Environmental Services
P. O. Box 4313
Baton Rouge, Louisiana 70821-4313

Prepared by: Eura DeHart

Date Prepared: November 5, 2009

PERMIT ACTION:

The Office of Environmental Services, Water Permits Division, under the Louisiana Environmental Quality Act (La. R.S. 30:2001, et seq.), is responsible for environmental protection and regulation of the use and disposal of sewage sludge. Under the permitting authority authorized by the Louisiana Environmental Quality Act, the Department proposes to issue a Sewage Sludge Use or Disposal General Permit LAJ660000 for persons that have sewage sludge pumped out or removed from a sanitary wastewater treatment works and sold, given away, and/or hauled off-site for a fee or other consideration.

I. Covered activity

A. Applicability.

1. Persons that have sewage sludge pumped out or removed from a sanitary wastewater treatment works and sold, given away, and/or hauled off-site for a fee or other consideration are eligible for coverage under this general permit.
2. This general permit does not apply to:
 1. commercial preparers of sewage sludge, other than publicly owned treatment works;
 2. facilities that prepare sewage sludge into an Exceptional Quality Biosolids or a Class B Biosolids for beneficial use through land application for either a crop fertilizer or soil conditioner;
 3. land appliers of a Class B Biosolids;
 4. incinerators of sewage sludge;
 5. facilities that dispose sewage sludge in a permitted landfill;
 6. facilities that have sewage sludge removed from a treatment system to be transported to an out-of-state facility or location for disposal or incineration; or
 7. facilities that prepare sewage sludge into biosolids and have the biosolids removed to be transported to an out-of-state preparer for further treatment or out-of-state land applier for land application.

B. Obtaining Authorization.

1. All persons operating a source on conducting an activity as described in Section A.1 above and who meet all eligibility conditions may be covered under this general permit and will become permittees authorized under this permit within 14 days of receipt of a correctly completed Notice of Intent (NOI) by the Office of Environmental Services.
2. Submission of an NOI is an acknowledgement that the conditions of the general permit are applicable to the facility and that the applicant agrees to comply with the conditions of this general permit. The applicant's signature on the NOI

certifies that the applicant qualifies for coverage under this general permit and agrees to comply with all terms and conditions of the authorization. Unless notified otherwise by the Secretary or his designee, eligible owners/operators are authorized under the terms and conditions of this permit.

3. Notice of Intent (NOI) to be covered under this general permit shall be made using Form_7263. The Form_7263 may be obtained from the LDEQ website at <http://www.deq.louisiana.gov/portal/tabid/2296/Default.aspx> or by calling (225) 219-3181.

4. The Department may deny coverage under this general permit and require submittal of an application for an individual sewage sludge and biosolids use or disposal permit based on a review of the NOI or other information. This Office reserves the right to issue such facilities an individual sewage sludge permit with more appropriate conditions and/or limitations.

C. Restrictions and Prohibitions.

1. The use or disposal of sewage sludge that is hazardous under 40 CFR Part 261 and/or LAC 33:Part V is prohibited.
2. The use or disposal of sewage sludge with a concentration of polychlorinated biphenyls (PCBs) equal to or greater than 50 milligrams per kilogram of total solids (dry weight basis) is prohibited.
3. No person shall use or dispose of sewage sludge or biosolids through any practice for which requirements have not been established in LAC 33:IX.Chapter 73.
4. Surface disposal, as defined in LAC 33:IX.7301.B., is prohibited as a use or disposal method of sewage sludge or biosolids.

D. Sewage Sludge Removal Authorization.

During the period beginning with coverage under this general permit and lasting through the expiration date of this general permit, a permittee covered under this general permit is authorized to have sewage sludge pumped out or removed from a sanitary wastewater treatment works and sold, given away, and/or hauled off-site for a fee or other consideration and transported by a hauler that possesses a valid Sewage Sludge Hauler Registration from LDEQ to a facility that is permitted by LDEQ to accept sewage sludge in accordance with the terms and conditions that follow.

II. Public Notice

Upon publication of the public notice, a public comment period shall begin on the date of publication and last for at least 30 days thereafter. During this period, any interested persons may submit written comments on the draft permit and may request a public hearing to clarify issues involved in the permit decision at this Office's address which will be provided in the published notice. A request for a public hearing shall be in writing and shall state the nature of the issues proposed to be raised in the hearing.

Public notice published in:

- THE ADVOCATE of Baton Rouge
- LAKE CHARLES AMERICAN PRESS
- DAILY ADVERTISER of Lafayette

- THE TIMES of Shreveport
- THE TIMES PICAYUNE of New Orleans
- THE NEWS-STAR of Monroe
- THE TOWN TALK of Alexandria
- THE DAILY COURIER of Houma
- Office of Environmental Service Public Notice Mailing List / Web Site
- LDEQ Permits Public Web Page at:

<http://www3.deq.louisiana.gov/news/pubnotice/default.asp>

The draft permit, Notice of Intent, and fact sheet will be available for review at the LDEQ Public Records Center, Room 127, 602 North 5th Street, Baton Rouge, Louisiana, during the hours of 8:00 a.m. to 4:30 p.m., Monday through Friday (except holidays).

The Water Permits Division will send notification of the final permit decision to each person who has submitted written comments or a written request for notification of the final decision.

The public notice of this general permit will serve as public notice for those facilities which the Department has received a sewage sludge use or disposal permit application and determined the application to be administratively complete prior to the public notice of this general permit.

III. Proposed Permit Conditions and Rationale

Sewage sludge is generated by the treatment of domestic wastewater. Proper management, including use and disposal, of sewage sludge is important for protection of human health and the environment. The United States Environmental Protection Agency promulgated regulations in the Clean Water Act under 40 CFR Part 503 for the use or disposal of sewage sludge. The regulations establish standards, which consist of general requirements, pollutants limits, management practices, and operational standards, for use or disposal of sewage sludge generated during the treatment of domestic sewage in a treatment works. The regulations also include the frequency of monitoring and recordkeeping requirements.

On November 20, 2007, the Department promulgated regulations under the Water Quality Regulations in LAC 33:IX. Chapter 73 establishing standards for the use or disposal of sewage sludge generated during the treatment of domestic sewage in a treatment works and of domestic septage, biosolids, and grease that was pumped or removed from a food service facility and mixed with sewage sludge. These regulations are similar to the requirements set forth in Clean Water Act under 40 CFR Part 503.

After promulgation of these regulations, the Department received numerous applications requesting authorization to have sewage sludge pumped out or removed from a sanitary wastewater treatment works and sold, given away, and/or hauled off-site for a fee. The Department is issuing this permit to assure sewage sludge is disposed in accordance with regulations to protect human health and the environment.

This permit covers a number of facilities that have sewage sludge pumped out or removed from a sanitary wastewater treatment works and sold, given away, and/or hauled off-site for a fee. These facilities have similar operations and disposal practices and required the same operating conditions and standards for the sewage sludge use or disposal practice. The requirements placed into the general permit are those applicable requirements of LAC 33:IX. Chapter 73. The requirements of this general permit are the same requirements that would be required of the facility in an individual

permit. Covering these facilities under a general permit allows them to be regulated within an acceptable amount of time and expense to permittees as well as to this Office while maintaining the integrity of the environment.

Standards for the Use or Disposal of Sewage Sludge and Biosolids are established in the LAC 33:IX.Chapter 73 and includes the regulatory requirements for persons that have sewage sludge pumped out or removed from a sanitary wastewater treatment works and sold, given away, and/or hauled off-site for a fee.

Standard conditions applicable to all sewage sludge and biosolids use or disposal permits are established in Part III of the General Permit in accordance with the requirements of LAC 33:IX.7313.

IV. Tentative Determination

On the basis of preliminary staff review, the Department of Environmental Quality has made a tentative determination to issue a general permit for the activities described in this Fact Sheet.

V. References

Louisiana Administrative Code, Title 33 - Environmental Quality, Part IX – Water Quality, Subpart 3. Chapter 73, August 2009.

Louisiana Revised Statutes, Title 30 – Minerals, Oil, and Gas, and Environmental Quality, Subtitle II. Environmental Quality, 2008.

Title 40 of the Code of Federal Regulations [CFR], Part 503.